

CHINS BENCHMARK REASONABLE EFFORTS CHART

“The State must make reasonable efforts to maintain the family unit and prevent the unnecessary removal of a child from his/her home, as long as the child’s safety is assured; to effect the safe reunification of the child and family (if temporary out-of-home placement is necessary to ensure the immediate safety of the child); and to make and finalize alternate permanency plans in a timely manner when reunification is not appropriate or possible.” 45 C.F.R. sec. 1356.21 (b)

| FINDING THAT CONTINUATION IN THE HOME WOULD BE CONTRARY TO THE WELFARE OF THE CHILD (Best Interests) | REASONABLE EFFORTS TO PREVENT PLACEMENT | REASONABLE EFFORTS TO REUNIFY FAMILY FOLLOWING PLACEMENT | REASONABLE EFFORTS TO FINALIZE A NEW PERMANENT HOME AFTER REUNIFICATION IS NO LONGER THE CASE GOAL (reasonable efforts to finalize a permanency plan) |
|---|---|---|---|
| Must be made in the first court order authorizing removal from the home. I.C. 31-34-5-2: - was removal under I.C.31-34-2-3 and 4 necessary to protect child, - what family services were offered before removal, and what efforts were made to provide services, - why didn't such services prevent removal - were the efforts reasonable? | Must be made within sixty (60) days following the removal of the child from the home. This finding can be made prior to the expiration of sixty (60) days. | | Must be made at or before the due date of the permanency hearing. (One year from the date the child is considered to have entered foster care* and at least once each 12 mos. thereafter). The first permanency hearing is therefore the proper time to make this finding. |
| *the date the child is considered to have entered foster care is the date the court found that a child was abused or neglected or sixty (60) days following the child's actual removal from home, whichever comes first. | | | |
| Removal includes physical removal from the home of a specified relative, a voluntary placement which leads to the physical removal, constructive removal in which the child is continued in the physical care of a relative but the state is granted custody and the relative is licensed as a foster parent. | | | |
| | I.C. 31-34-21-5.5 provides that if a child has not been removed then the OFC shall make reasonable efforts to prevent or eliminate the need for removing the child from the home. | I.C. 31-34-21-5.5 provides that if the child has been removed from the home the OFC is to make reasonable efforts to return the child safely to the home as soon as possible. | A finding of reasonable efforts to finalize permanency plan may include: a. Reasonable efforts to reunify the family following placement; and / or b. reasonable efforts to secure a new permanent home. |
| Specific findings must be in written order or on record | Specific findings must be in written order or on record | | Specific findings must be in written order or on record |
| | There can be factual circumstances such that there exists no safe way to make efforts prior to removal. Thus, a finding by the court that reasonable efforts could not be employed is a finding of reasonable efforts | | There can be factual circumstances such that there exists no safe way to make efforts prior to removal. Thus, a finding by the court that reasonable efforts could not be employed is a finding of reasonable efforts. |